



# Manistee County Board of Commissioners

Manistee County Courthouse • 415 Third Street • Manistee, Michigan 49660

CHAIRPERSON  
Allan O'Shea  
VICE-CHAIRPERSON  
Edward Haik

Ken Hilliard  
Ervin Kowalski  
Jim Krolezyk  
Glenn Lottie  
Carl Rutske

CLERK

Marilyn Kliber  
(231) 723-3331

CONTROLLER/ADMINISTRATOR

Thomas Kaminski  
(231) 398-3500


## POLICY COMMITTEE

Thursday, April 1, 2010  
9:30 A.M.

Courthouse & Government Center  
Board of Commissioner's Room

## AGENDA

1. 9:30 A.M. - Marilyn Kliber, County Clerk, will appear before the Committee to request funds from the Education Fund Policy.
2. 9:45 A.M. - Sheriff Dale Kowalkowski will appear before the Committee to request funds from the Education Fund Policy.
3. Review and discuss miscellaneous Resolutions from other Counties. (APPENDIX A)
4. Other items from Committee members.
5. Adjournment.



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March 29, 2010

Governor Jennifer Granholm  
P.O. Box 30013  
Lansing, MI 48909

Mike Cox, State of Michigan Attorney General  
P.O. Box 30013  
Lansing, MI 48909

State Representative Dan Scripps  
P.O. Box 30014  
Lansing, MI 48909-7514

State Senator Michelle McManus  
P.O. Box 30036  
Lansing, MI 48909-7536

U.S. Representative Peter Hoekstra  
210 1/2 North Mitchell Street  
Cadillac, MI 49601

U.S. Senator Carl Levin  
107 Cass Street, Suite E  
Traverse City, MI 49684-2602

U.S. Senator Debbie Stabenow  
3335 South Airport Road W, Suite 6B  
Traverse City, MI 49684

RE: Asian Carp in Lake Michigan

Dear Senator Stabenow:

On Tuesday, March 16, 2010, the Manistee County Board of Commissioners expressed great concern regarding the current threat of Asian Carp entering Lake Michigan waters. As you know, Manistee County is located in northwest lower Michigan and borders Lake Michigan. A large portion of the county's economy depends upon tourism dollars resulting from sport fishing, boating, and many other water-related recreation activities. The threat of Silver and Bighead Carp, which are both species of Asian Carp, entering Lake Michigan waters will devastate the ecology and economy of not only Lake Michigan, but all of the Great Lakes.

It is our understanding that these fish reproduce quickly, eat vast amounts of organisms at the base of the food chain and have driven out native fish populations in other areas of the country. Every effort to stop the migration of this hyper-aggressive exotic species should be implemented as soon as possible.

The Manistee County Board of Commissioners support all efforts at the State and Federal level to stop the migration of Asian Carp into the Great Lakes by whatever means is necessary and appropriate. We believe that the State of Michigan should prepare a contingency plan for dealing with this threat if these Carp do enter Lake Michigan.

We urge your support and assistance in dealing with this important issue, which not only threatens Michigan's State and Local economy, but also threatens to ruin the ecology of the Great Lakes. Allowing this to happen would be devastating to the future of the Great Lakes.

On behalf of the Manistee County Board of Commissioners, thank you for your immediate attention to this matter.

Sincerely,

B. Allan O'Shea, Chairman  
Manistee County Board of Commissioners

CC: Michigan Association of Counties

[m h:\correspondence\Carp 032910]

**County  
of  
Cheboygan**

## **BOARD OF COMMISSIONERS**

*County Building*

*P.O. Box 70, Room 135*

*Cheboygan, Michigan 49721*

**Resolution 10-12**

*Tel - (231) 627-6855*

*Fax - (231) 627-8861*

*E-mail - ccoo@cheboygancounty.net*

### **RESOLUTION OBJECTING TO ELECTION MANAGEMENT SYSTEM LICENSE RENEWAL FEES**

**WHEREAS** the State of Michigan has entered into contract pricing for software license fees established for the GEMS Election Management Systems; and,

**WHEREAS** the pricing is the same for all who utilize the software regardless of whether the County performs the programming, or a vendor performs the programming and the County only utilizes the software for programming the memory cards, uploading local election results, and preparing the reports subsequent to the election; and,

**WHEREAS** Cheboygan County does not program for elections and utilizes a vendor to provide the programming for elections; and,

**WHEREAS** Cheboygan County only utilizes the software to program the memory cards for the AccuVote tabulators, upload local election results, and the system compiles the results, generating various post election reports; and,

**WHEREAS** this is a very small component of the election process and the license renewal fee is excessive for this component; and

**WHEREAS** the cost of this license renewal is an unfunded mandate required by the State of Michigan; and,

**NOW THEREFORE BE IT RESOLVED** that the Cheboygan County Board of Commissioners objects to the contract license cost for GEMS Election Management Systems in the current structure, and encourages the State of Michigan to negotiate a fee structure which incorporates a prorated payment schedule for counties who do not utilize the entire programming element of the GEMS software.

**BE IT FURTHER RESOLVED** that copies of this resolution be forward to Senator Jason Allen, State Representative Kevin Eisenheimer, State Representative Gary McDowell, Governor Jennifer Granholm, Secretary of State Terri Lynn Land, Director of the Bureau of Elections Christopher Thomas and the County Clerks in the other 82 Michigan Counties.

State of Michigan     )  
                                  )SS  
County of Cheboygan )

I, Mary Ellen Tryban, Clerk of the County of Cheboygan and the Cheboygan County Board of Commissioners, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Board at a regular meeting on March 9, 2010.

In witness whereof I have hereunto set my hand and affixed the Seal of the County of Cheboygan this 9<sup>th</sup> day of March, 2010, at Cheboygan, Michigan.

  
Mary Ellen Tryban, Cheboygan County Clerk

**District 1**  
**Linda Socha**  
**Chairperson**

**District 2**  
**Herb Makima**

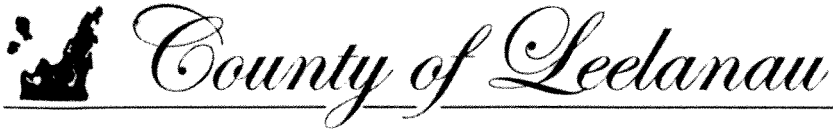
**District 3**  
**Pete Redmond**  
**Vice-Chairperson**

**District 4**  
**Alice Mushlock**

**District 5**  
**Leonard Page**

**District 6**  
**John B. Wallace**

**District 7**  
**Robert R. Bolinger**



**MICHELLE L. CROCKER**  
*Leelanau County Clerk*  
*Clerk of the Circuit Court*

**Leelanau County Resolution No. 2010-004**  
**Leelanau County, Michigan**  
**FUNDING OBLIGATIONS – STATE MANDATED SERVICES**

**WHEREAS**, the electorate of the State of Michigan passed an amendment in November 1978 to the State's Constitution that required the State to fund mandates imposed on local units of government (often referred to as the "Headlee Amendment"); and

**WHEREAS**, the Headlee Amendment (Article IX, Section 29) states:

"The state is hereby prohibited from reducing the state financed proportion of the necessary costs of any existing activity or service required of units of Local Government by state law. A new activity or service or an increase in the level of any activity or service beyond that required by existing law shall not be required by the Legislature or any state agency of units of Local Government, unless a state appropriation is made and disbursed to pay the unit of Local Government for any necessary increased costs. The provision of this section shall not apply to costs incurred pursuant to Article VI, Section 18"; and

**WHEREAS**, the Headlee Amendment became effective on December 23, 1978; and

**WHEREAS**, the State Legislature established the Legislative Commission on Statutory Mandates (LCSM) through P.A. 98 of 2007, as amended by P.A. 356 of 2008 and assigned the LCSM to identify mandates (including those involving reports) and the related cost of the mandates to local units of government, along with recommendations to resolve the unfunded mandates; and

**WHEREAS**, the LCSM worked with the Citizens Research Council (issued an analysis of other state's statutes and constitutional requirements similar to the Headlee Amendment) and local units of government associations, including:

- Michigan Association of Counties
  - Michigan Municipal League
  - Michigan Township Association
  - Michigan School Business Officials and Michigan Association of School Administrators
  - Michigan Community College Association
- County Road Association of Michigan

**WHEREAS**, the LCSM issued a report in June 2009 entitled "Interim Report of the Legislative Commission on Statutory Mandates" that indicated, among other matters, that the State had failed to enact legislation enabling the Headlee Amendment and has not complied with the Headlee Amendment since its adoption in 1978; and

**WHEREAS**, the LCSM has completed its report in December 2009 entitled "Final Report of the Legislative Commission on Statutory Mandates" that reaffirms the Interim Report results and provides recommendations, including but not limited to:  
Drafted legislation and court rules that would mitigate unfunded mandates imposed on local units of government in the future.

Proposed procedures that will prevent new unfunded mandates from being imposed on local units of government.

Proposed procedures that would be corrective, should unfunded mandates be imposed that would include, among other requirements:

- A submission of an action before the Court of Appeals to be heard by a special master in order to rule on whether the matter is a mandate and if the mandate is underfunded.
- Require the Court of Appeals to rule on the above within six months of the filing.

Should the Court of Appeals not rule on the above within six months, the local unit of government would have no obligation to continue to provide the services until such time as the State complies with the Headlee Amendment.

**WHEREAS**, the Michigan Association of Counties adopted a resolution of support for the recommendations contained in the final LCSM report in December 2009.

**NOW, THEREFORE BE IT RESOLVED**, that the Leelanau County Board of Commissioners supports the findings and recommendations in the interim and final reports of the Legislative Commission on Statutory Mandates and encourages the Governor, Legislature and Supreme Court to adopt and enact the recommendations cited in the final report.

**BE IT FURTHER RESOLVED**, that this resolution be forwarded to Governor Jennifer Granholm, State Senator Michelle McManus, State Representative Dan Scripps, the Michigan Association of Counties and the other 82 Michigan counties.

*Motion #62-02162010 – Regular Session*

Administrator – Approval of Resolution, Unfunded Mandated Services.

**MOTION BY SHIFLETT TO APPROVE RESOLUTION #2010-004 ON UNFUNDED, MANDATED SERVICES, TO BE FORWARDED ON TO THE STATE. SECOND WATKOSKI & SCHMUCKAL.**

Discussion – none.

**ROLL CALL: Watkoski – Yes; Marshall – Yes; Schaub – Yes; Schmuckal – Yes; Shiflett – Yes; Tonneberger – Yes.**

**AYES – 6      NO – 0      ABSENT – 1 (Lautner)      MOTION CARRIED.**

State of Michigan  
County of Leelanau

I, Michelle L. Crocker, Clerk of said County and Clerk of Circuit Court for said County, the same being a Court of record having a seal, do hereby certify that the above is a true copy of the Record now remaining in my office and of the whole thereof. In Testimony whereof, I have hereto set my hand and affixed the seal of the Circuit Court the 16th day of February 2010.

/s/ Michelle L. Crocker  
Michelle L. Crocker, Leelanau County Clerk